

# **FY2010-2011 CONSOLIDATED PESTICIDES COMPLIANCE MONITORING PROGRAM**

## **WORKER SAFETY PROGRAM WORKPLAN (REVISED)**

### **I. INTRODUCTION**

The Hawaii Department of Agriculture (HDOA) is the lead state agency for the enforcement of the Hawaii Pesticides Law (Chapter 149A, Hawaii Revised Statutes) and the Hawaii Administrative Rules (Chapter 66, Title 4). The HDOA has the statutory authority to control the sale and use of pesticides through applicator certification, applicator education and outreach, product registration and licensing, use and misuse surveillance, and the administration of enforcement actions.

Under the State Implementation Plan for Worker Protection, the HDOA has overall responsibility for:

- The development of the state implementation plan.
- The conducting outreach efforts to the regulated community and others affected by the Standard.
- The establishment of policies and guidelines.
- The enforcement of the Standard.

### **II. OBJECTIVES**

#### **A. Program Areas**

1. **Outreach and Education to all affected parties in the regulated/protected community.** With the discontinuance of routine outreach prior to conducting inspections, efforts will continue to focus on industry specific activities. Efforts will be focused on the agricultural employers and providing information through newsletters and coordination with agricultural retailers. Outreach will continue to develop information in common languages of agricultural laborers and providing materials and translation services to communicate with these laborers.
2. **Program maintenance and support.** Work will continue with the Hawaii Farm Bureau Federation, Crop Care Hawaii, and the Cooperative Extension Service to identify commodity and demographic groups that are at greater risk or have insufficient contact with the resources and services. Quarterly meetings will be continued to assess where the community needs and plan activities to address those needs. Education staff will follow-up with visits to these trainers to determine if additional information, training materials or training is needed.
3. **Identification of High Risk Situations for Agricultural Workers/Handlers.** High risk situations will be identified based on work activity, toxicity of pesticides, crops that require hand labor, the number of workers and history of compliance. Agricultural activities involving considerable worker exposure include harvesting pineapples, harvesting ornamental crops, detasseling seed corn, flower tip removal and bagging bananas. Sales reports for restricted use pesticides, crop statistics and the agricultural workforce survey will be used to identify high risk situations

4. **Information/Communication Regarding Pesticide Incidents.** The Pesticides Program will continue to work with the Department of Health's Hazard Evaluation and Emergency Response Program (HEER) concerning all pesticides illnesses. Currently, the Pesticides Program also has an agreement with the Department of Labor & Industrial Relation's Division of Occupational Safety and Health to coordinate activities concerning exposure to pesticides in the workplace. Meetings will be conducted to review these arrangements and determine if changes are needed.

## B. Program Strategy

### 1. Worker Safety Program Priority Activities

Violations involving PPE, training and posting appear to be the predominant areas of WPS non-compliance. The primary reasons for non-compliance include comfort issues, not being aware of the requirements and apathy. In a few cases PPE has not been provided. Enforcement actions (Warning Notices, Civil Penalties, etc.) will be used to schedule consultations. Additionally, EPA will evaluate investigation jackets from inspections documenting WPS violations.

## III. WORK PROGRAM

### A. Program Management

#### 1. Worker Safety Program Priority of Activities

	<u>FY2010</u>	<u>FY2011</u>
a. Consultative visit in response to enforcement actions.	<u>ongoing</u>	<u>ongoing</u>
b. Track sales of restricted use pesticides.		
1) Verify Tax Map Key (TMK) information for certified applicators.	<u>as applicators are certified</u>	<u>as applicators are certified</u>
2) Input/Coordinate RUP sales data.	<u>ongoing</u>	<u>ongoing</u>
c. Update the Neutral Inspection and the Worker Protection Inspection Priority Scheme.	<u>02/01/2010</u>	<u>02/01/2011</u>
d. Worker Protection Inspections commitment from the Enforcement Workplan.		
1) Tier I WPS Inspections	<u>20</u>	<u>20</u>
2) Tier II WPS Inspections	<u>13</u>	<u>13</u>

	<u>FY2010</u>	<u>FY2011</u>
2. Program Policies		
a. Update as necessary, outreach and training efforts.	<u>ongoing</u>	<u>ongoing</u>
<b>B. Other Activities</b>		
1. Consultative visits at agricultural establishments to assist the regulated community.	<u>25</u>	<u>25</u>
2. Outreach:		
a. Make information available to workers on WPS protections, filing complaints and reporting incidences.	<u>ongoing</u>	<u>ongoing</u>
b. Development, reproduction, and distribution of informational materials, newsletter articles, brochures, etc.	<u>ongoing, as needed</u>	<u>ongoing, as needed</u>
3. Continuing Education		
a. Approval of classes for certified applicators.	<u>ongoing, as requests are received</u>	<u>ongoing, as requests are received</u>
b. Participation in statewide education programs offered by organizations and grower groups.	<u>ongoing, as requested or needed</u>	<u>ongoing, as requested or needed</u>
4. Participation in the regional and national assessment of worker protection programs and workgroups.	<u>as offered</u>	<u>as offered</u>
<b>C. Procurement Under Assistance Agreements</b>		
1. Update information on program expenditures based on the State of Hawaii's Financial Accounting & Management Information System (FAMIS).	<u>monthly, as reports are received</u>	<u>monthly, as reports are received</u>
2. Update information on vendors' Minority Business Enterprise / Women's Business Enterprise (MBE/WBE) status.	<u>as new vendors are utilized</u>	<u>as new vendors are utilized</u>

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3. Complete and submit the MBE/WBE Utilization Report 10/31/2010 10/31/2011  
(5700-52A) to EPA.

#### D. Reports

	<u>FY2010</u>	<u>FY2011</u>
The State will submit reports corresponding to the project and budget period of this Cooperative Agreement. These reports must be submitted within 20 days after the end of each period of the Cooperative Agreement and will include:	<u>10/20/2010</u>	<u>10/20/2011</u>
1. Tier I and Tier II WPS inspection case files upon completion.		
2. WPS specific enforcement data on the revised EPA Form 5700-33H.		